



**Senate Bill 267, An Act Prohibiting Homemaker-Companion Agencies From Advertising Provision of Health and Medical Services and Expanding Penalties for Violations of Conditions for Authorized Operation**  
Aging Committee  
March 8, 2022

Home Care Association of America Connecticut represents more than one hundred home care organizations that employ thousands of caregivers in the state who provide essential in-home services to seniors, individuals with disabilities and veterans. To ensure quality care, HCAOA Connecticut advocates for employer-based agencies that screen, employ, train and supervise caregivers and supports industry standards that improve the delivery of in-home care to clients.

HCAOA Connecticut is **opposed to Senate Bill 267** and respectfully requests that the Aging Committee **reject the bill**.

Senate Bill 267 prohibits home care agencies from using in their business names or advertising any health care related terms and authorizes the Commissioner of Consumer Protection to issue fines of up to \$1,000 per violation.

Under the bill, a home care agency (HCA) that indicates that it specializes in Alzheimer's disease or provides dementia care, memory care or support would be required to obtain a license from the Department of Public Health. The fines could add up to significant costs for online advertising or communications, harming HCAs, causing significant unintended consequences and putting seniors and persons who are disabled at risk.

This despite the fact that all caregivers are trained and many are certified to provide safety and support in the home for people who suffer from memory loss or dementia-related impairment that is not health care related. For example, they communicate, redirect and provide reminders around appliances in the home such as stoves and hot surfaces that would pose a danger to elderly clients.

Caregivers are trained to provide certain nonmedical tasks precisely to "*ensure* the well-being and safety of a person" in her home, in accordance with Conn. Gen.

Stat. sec. 20-670(3). (emphasis added) It is clear the legislature intended that the role of a caregiver providing companion services includes services such as memory support that ensure a safe and healthy environment in the person's home.

Nonmedical home care agencies are not claiming they diagnose, treat or cure disease, but they should be able to reasonably provide accurate information to consumers that offers to protect them and state that they offer various services that may be related, such as memory support. If home care agencies are not able to provide these services, who will? In general, home health care agencies do not nor do they have the staff to do so. This prohibition will have the unintended effect of putting elderly consumers at risk.

Similar legislation considered in prior years has been rejected, as recently as last year in House Bill 6100 by the General Law Committee. HCAOA Connecticut has proposed amendments to the Department of Consumer Protection that HCAs be allowed to include in their business name or advertising any words that accurately describe nonmedical, supportive services that ensure a safe and healthy environment for a person who may have memory challenges in her home. It would balance the Department's interests in informing and protecting consumers while requiring a license for home health services with the home care industry's interests in protecting consumers while allowing agencies to reasonably communicate with families, meet consumer demand and participate in a competitive marketplace.

Following the action by the General Law Committee in 2021, the Department of Consumer Protection adopted advertising guidelines earlier this year that expressly prohibit HCAs from advertising any type of Alzheimer's or dementia care. Senate Bill 267 raises questions concerning the Department's statutory authority to adopt the guidelines. Conversely, if the guidelines are in effect and valid, the bill is not necessary.

Please contact Mark McGoldrick, Chairman of HCAOA Connecticut, (203) 924-4949, with any questions or visit [www.hcaoa.org](http://www.hcaoa.org) for additional information about Home Care Association of America.